

### **REMARKS**

Claims 1-8, 13, 17-30, 35, 39-45, 47, 49 are pending, with claims 1, 23 and 45 being independent.

The Applicant would like to thank Examiner Taha for the telephonic interview conducted on February 25, 2010. During the interview, the obviousness rejections of independent claims 1, 23, and 45 over U.S. 6,839,737 (Friskel) in view of US Patent Application US 2003/0191969 (Katsikas) and US 2005/0188044 (Fleming) were discussed. In particular, during the interview, the Examiner and the Applicant's representative discussed how these references do not present a prima facie case of obviousness at least because Fleming does not describe determining whether a person is known based on the specific user actions recited in the independent claims.

In particular, independent claim 1 recites "determining . . . that a person is known to a user base, at least in part, on . . . one or more of (1) saving a message from the person; (2) printing a message from the person; (3) moving a message from the person from a first folder to a second folder; and (4) leaving a message from the person open for a predetermined period of time" and "in response to determining that the person is known to the user, adding the person to the maintained list." The Office Action asserted that Fleming describes the specific actions recited. However, as discussed during the interview, Fleming describes moving or deleting an e-mail based on a determination that the e-mail was from a sender on an unauthorized list. Fleming does not describe or suggest determining a person is known to a user based on the specific actions and, in response to such a determination, adding the person to a list. Rather, in Fleming, any such sender is already on the list.

Thus, as agreed to during the interview, the combination of Friskel, Katsikas, and Fleming does not describe or suggest all of the features of the independent claims and, as such, does not render them obvious.

The Examiner agreed to withdraw the present rejection and, to the extent further rejections are issued, that they will be included in a non-final office.

### **Conclusion**

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, objection, issue, or comment, including the Office Action's characterizations of the art, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Applicant reserves the right to prosecute the rejected claims in further prosecution of this or related applications.

The fee in the amount of \$130 for payment of the one-month extension of time is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization.

The Director is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 06-1050. The Director also is hereby authorized to apply any additional fees or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 3/1/10

/Kevin E. Greene/  
Kevin E. Greene  
Reg. No. 46,031

Fish & Richardson P.C.  
1425 K Street, N.W.  
11th Floor  
Washington, DC 20005-3500  
Telephone: (202) 783-5070  
Facsimile: (877) 769-7945